

## Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Councilmember  
Donald Rocha

**SUBJECT:** ANNUAL REPORT

**DATE:** October 3, 2014

Approved

Date

10/3/14

### RECOMMENDATION

1. Make the following changes to the allocation of the Ending Fund Balance:
  - a. Reduce the allocation to the Fiscal Reform Plan Implementation Reserve from \$2 million to \$1.8 million.
  - b. Allocate \$200,000 to fund an enhancement to the fence proposed as part of the Children's Discovery Museum expansion project.
2. Direct the City Manager to return to Council, as necessary, to effectuate an agreement for use of the funds with the Children's Discovery Museum.

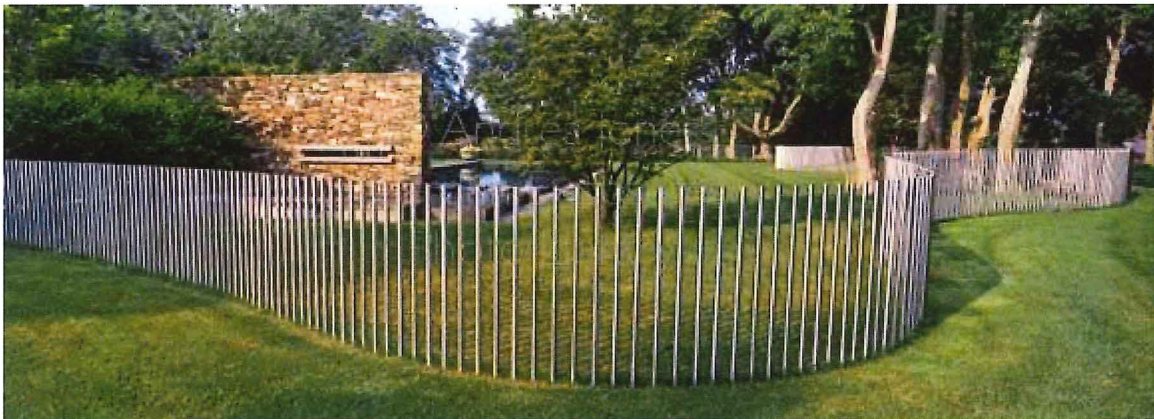
### ANALYSIS

On September 29<sup>th</sup> the City Council approved expansion plans for the Children's Discovery Museum (CDM.) On meeting with CDM staff and board members in advance of that decision, I learned of a potential upgrade to the expansion project—an enhanced fence design—that I think is too good to pass up. With this memo, I recommend the City set aside funds to assist with \$200,000 of the \$300,000 total needed for the enhanced design.

The CDM expansion plan includes an outdoor garden intended to teach kids about environmental stewardship, water conservation and sustainable food production. The garden area will be surrounded by a fence, which will run between the garden and a portion of the Guadalupe River Trail (see site plan in Attachment A.) The current plan includes funding of \$45,000 for a basic fence, but CDM staff have identified another potential fence design—known as a sculptural fence—that would provide enhanced functionality, in addition to providing a beautiful artistic touch to one of San Jose's best loved museums and the trail that runs next to it. (See pictures on next page.)



### *Sculptural Fences:*



As you can see, sculptural fences are very beautiful and could almost be considered public art. They consist in steel pickets that are attached underneath the ground, but above ground are completely separate from each other. In the case of the Discovery Museum, the fence would be about 5-6 feet high and the separations between the pickets would be 4 inches or less to keep children safe and secure. It would create visual interest that would welcome visitors into the museum, instead of looking like a barrier intended to keep them out. In addition to looking good, the fence would also have functional benefits: it would be difficult for intruders to climb after hours and would present less of a target for graffiti. The estimated cost for the fence is \$300,000. CDM has already



raised \$45,000 for a basic fence, leaving a gap of \$255,000. I recommend we set aside \$200,000 and ask CDM to leverage our contribution to raise the remaining \$55,000.

I realize that funding projects like this one through the Annual Report has not been the Council's past practice, but in this case I believe the opportunity is too good to pass up. A basic fence might meet the project's needs, but in my opinion this museum deserves something more than the basics. The Children's Discovery Museum is a special place in San Jose that has entertained and educated children for over a generation. If there's anywhere we should pitch in a little bit extra for a nice facility it's here. What's more, the museum sits in Guadalupe River Park right next to the Guadalupe River Trail—the fence would run along a portion of the trail. Children would enjoy it from the inside and trail users would enjoy it from the outside. Policy PR-5.4 of the City's General Plan calls for just such unique features as part of the Park:

Incorporate features, facilities, and special events in Guadalupe River Park & Gardens that attract a wide variety of users from throughout San Jose and the region and establishes it as San Jose's grand public park.

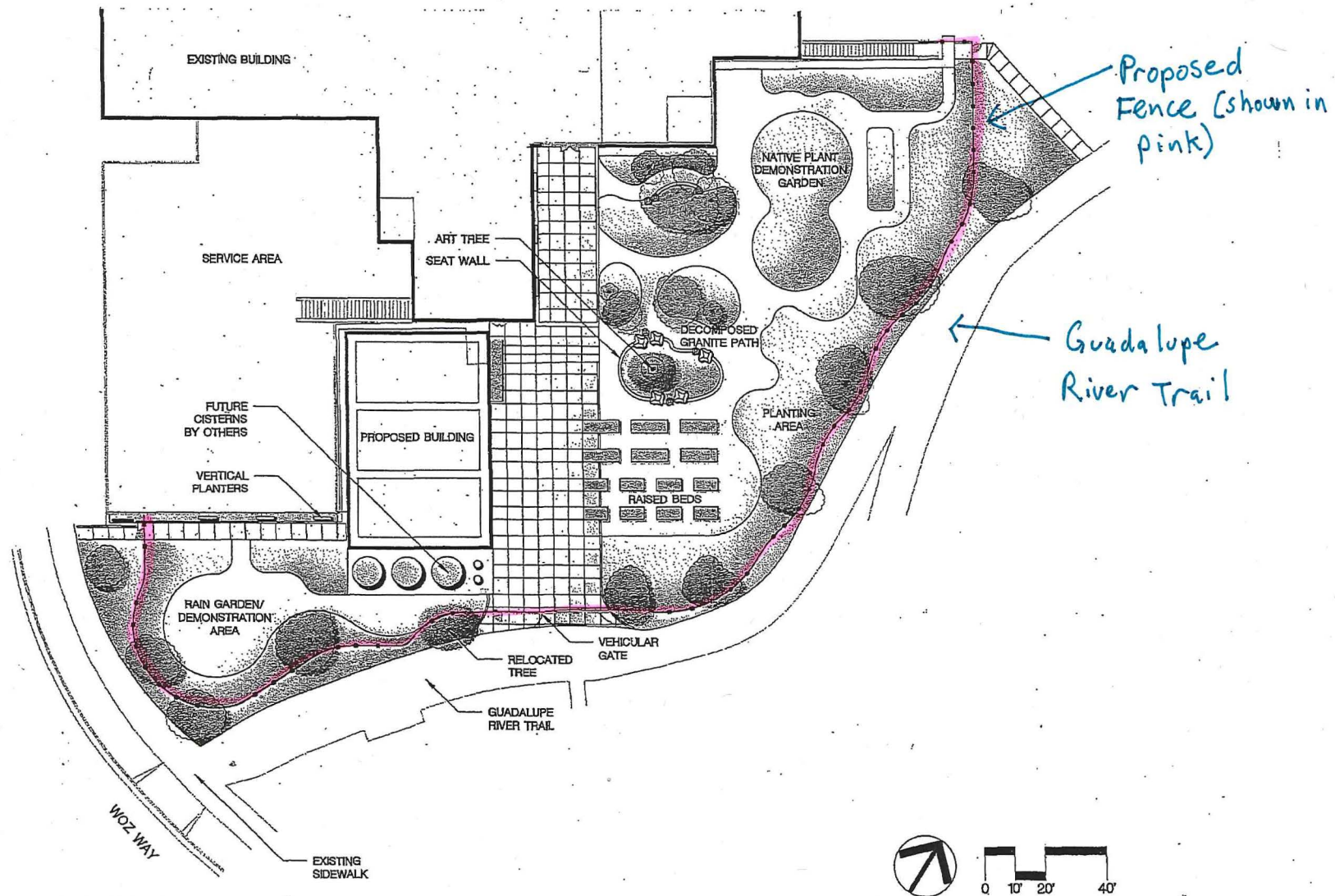
A "grand park" needs unique elements just like the proposed fence. For a relatively small amount of money and little bit of vision, we can provide a spectacular, artistic improvement that our residents will enjoy for years to come.

I understand that some may be concerned at reducing the Fiscal Reform Plan Implementation Reserve. The \$2 million addition to the reserve is intended to fund any future court rulings that would require the City to pay attorney fees in the Measure B litigation. At this point it's not clear when such fees would need to be paid or in what amount. Even with the reduction, however, the reserve would still sit at \$2.5 million. Caution is an important value in budgeting, but we should not be over-cautious at the expense of making San Jose the special place our residents deserve. If the Fiscal Reform Plan Implementation Reserve needs to be replenished, Mid-Year Budget Review would provide an opportunity to do so.

# Attachment A

## Attachment A: CDM Expansion Rendering

### Phase I



CHILDREN'S DISCOVERY MUSEUM  
GARDEN ADDITION PLAN  
8/14/14

